

PETITION NO. 809 - Extenet Systems, Inc. petition for a	}	Connecticut
declaratory ruling that the Connecticut Siting Council does not	}	
have jurisdiction or, in the alternative, that no Certificate of	}	Siting
Environmental Compatibility and Public Need is required for the	}	
proposed construction of a Distributed Antenna System along the	}	Council
Merritt Parkway from New York state line to Westport,		
Connecticut.		November 5, 2007

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a Distributed Antenna System in the towns of Greenwich, Stamford, New Canaan, Norwalk, and Westport, Connecticut would not have substantial adverse environmental effect and would not require a Certificate of Environmental Compatibility and Public Need.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and is subject to the following conditions:

1. The Petitioner shall provide a copy to the Council of all required final decisions and/or permits issued by the DOT, DPUC, and other federal or State regulatory agencies concerning the proposed project, when available.
2. The Petitioner shall not commence construction activities until securing Council approval of a Development & Management (D&M) Plan that includes the locations and specifications of the base stations, nodes, and poles to be installed.
3. The color of the node antennas and related pole mounted equipment boxes shall be determined upon consultation with the Merritt Parkway Advisory Committee.
4. If the Distributed Antenna System, as a whole, ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Petitioner shall remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
5. The Petitioner, prior to submission of the D&M Plan, shall provide a copy to the Council of the final National Environmental Policy Act analysis.

By this Decision, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Petitioner	Extenet Systems, Inc.	Julie D. Kohler, Esq. Carrie L. Larson, Esq. Cohen & Wolf, P.C. 1115 Broad Street P.O. Box 1821 Bridgeport, CT 06601-1821
Intervenor	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597
Intervenor	Merritt Parkway Conservancy	Merritt Parkway Conservancy c/o Karen Salerno, Executive Director P.O. Box 17072 Stamford, CT 06907
Intervenor	Omnipoint Communications, Inc. A subsidiary of T-Mobile USA, Inc.	Diane W. Whitney Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702
Intervenor	Elizabeth Galt Clifford Berger	Elizabeth Galt 414 Round Hill Road Greenwich, CT 06831 Cliff Berger 7 Old Round Hill Lane Greenwich, CT 06831
Intervenor	New Cingular Wireless PCS, LLC d/b/a AT&T	Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601
Intervenor	Lighttower Wireless LLC	Stephen J. Humes, Esq. McCarter & English, L.L.P. 185 Asylum Street, CityPlace I Hartford, CT 06103
Intervenor	Sprint Nextel Corporation	Thomas J. Regan, Esq. Brown Rudnick Berlack Israels LLP 185 Asylum Street, CityPlace I Hartford, CT 06103-3402